

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Sri A. Obul Reddy, formerly, Senior Assistant Senior Civil Judge's Court, Puttur, Chittoor District (now retired from service) – Exoneration from the charges - Orders – Issued.

LAW LA & J - HOME – (COURTS.D) DEPARTMENT

G.O.Rt.No. 1086

Dt:02- 07-2012,

Read:-

From the Registrar (Vigilance), High Court of Andhra Pradesh, Hyderabad,
D.O.Lr.No.319/2001-Vigilance Cell, dated 18.3.2011.

&&&

ORDER:

The Registrar (Vigilance), High Court of Andhra Pradesh forwarded the letter of the District and Sessions Judge, Chittoor along with the original file relating to an enquiry conducted against Sri. A.Obul Reddy, Junior Assistant, for taking further action as per rule 9(2)(a) of the Revised Pension Rules, 1980.

2. The Inquiring Officer who conducted enquiry in DE No. 5-A/2009 against Sri. A. Obul Reddy, Junior Assistant in Prl. Junior Civil Judge's Court, Tirupathi along with another Sri K. Dwarakanatha Reddy, who were in-charge of O.S. Branch, in connection with the missing of case bundle in O.S.No.1785/2004 on the file of the Prl. Junior Civil Judge's Court, Tirupathi, submitted the enquiry report dt:03-02-2010 by holding that as the evidence of P.Ws. 1 to 4 and Exs.A1 to A8 proved the charge that both the charged officers Sri K. Dwarakanatha Reddy and Sri. A. Obul Reddy were equally responsible for the missing of the record and they are liable for punishment.

3. Vide. Proceedings in Dis.No.1199, dt:01-02-2011 final orders were issued awarding the punishment of 'censure' against Sri K. Dwarakanatha Reddy one of the charged officers and no order has been passed against Sri. A. Obul Reddy in view of his retirement, though, the Inquiry Officer has stated that the charge was proved against both the charged officers. In such event, when there is alleged culpability directed against both the charged officers, as both of them were dealing with missing case bundle in O.S.No.1785/2004, in case any punishment other than 'censure' awarded to Sri K. Dwarakanatha Reddy is imposed on Sri A.Obul Reddy, it would amount to discriminating him from Sri K. Dwarakanatha Reddy, the first charged officer. Since rule 9(2) (a) of the Andhra Pradesh, Revised Pension Rules, 1980 do not contemplate the minor punishment provided by rule 9 of the Andhra Pradesh, Civil Services (Classification, Control and Appeal) Rules, 1991, and any cut in pension either permanently or for a temporary period, if awarded, the gravity would be more compared to the punishment of 'censure' imposed on the other charged officer.

4. In the absence of positive material on record to direct against the charged officer to hold that he is responsible for missing of the file as it is difficult to hold that Sri A. Obul Reddy, the charged officer is also responsible for missing of the case bundle in O.S.No.1785/2004, Government after careful examination of the matter and also keeping in view, the punishment of censure awarded against the other charged officer, hereby exonerate Sri A. Obul Reddy from the charge framed against him, by overturning the findings recorded by the Inquiry Officer.

5. The Registrar (Vigilance), High Court of Andhra Pradesh, Hyderabad shall take necessary further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

A. SHANKAR NARAYANA,
SECRETARY TO GOVERNMENT,
LEGISLATIVE AFFAIRS AND JUSTICE.

To,
The Registrar (Vigilance), High Court of Andhra Pradesh, Hyderabad.
The individual through Registrar (Vigilance), High Court
of Andhra Pradesh, Hyderabad
The District and Sessions Judge, Chittoor.
The Accountant General, Andhra Pradesh, Hyderabad.
The PAO, Hyderabad.
Copy to:The Finance (Expr. H&L) Department.
SF/SC.

// FORWARDED::BY ORDER //

SECTION OFFICER.